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Attorneys for Nominal Defendant APPLE INC. and Defendants  
TIMOTHY D. COOK, WILLIAM V. CAMPBELL, MILLARD  
DREXLER, ARTHUR D. LEVINSON, ROBERT A. IGER,  
ANDREA JUNG and FRED D. ANDERSON

[Additional Counsel Listed on Signature Page]

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN JOSE DIVISION**

R. ANDRE KLEIN, on behalf of himself  
and all other stockholders of APPLE INC.,

Plaintiff,

vs.

TIMOTHY D. COOK, WILLIAM V.  
CAMPBELL, MILLARD ("MICKEY")  
DREXLER, ARTHUR D. LEVINSON,  
ROBERT A. IGER, ANDREA JUNG,  
FRED D. ANDERSON, ESTATE OF  
STEVEN P. JOBS, deceased, and DOES 1-  
30, inclusive,

Defendants,

-and-

APPLE INC., a California corporation,

Nominal Defendant.

Case No. 5:14-cv-03634-EJD

**STIPULATION AND [PROPOSED]  
ORDER CONTINUING CASE  
MANAGEMENT CONFERENCE**

**STIPULATION**

Nominal defendant Apple Inc. ("Apple"), defendants Timothy D. Cook, William V. Campbell, Millard Drexler, Arthur D. Levinson, Robert A. Iger, Andrea Jung and Fred D. Anderson (collectively with Apple, "Defendants"), and plaintiff R. Andre Klein ("Plaintiff"), by and through their respective counsel, hereby stipulate as follows:

WHEREAS, on August 11, 2014, Plaintiff filed a Verified Shareholder Derivative Complaint against Defendants and the Estate of Steven P. Jobs;

WHEREAS, pursuant to Civil Local Rules 16-2, the Court set the date for the Initial Case Management Conference for January 15, 2015 at 10:00 a.m.;

WHEREAS, lead counsel for Defendants, George Riley and Michael Tubach, both need to be out of the country on January 15, 2015 for other work matters that cannot be rescheduled;

WHEREAS, the parties have met and conferred and wish to continue the Initial Case Management Conference to January 22, 2015 at 10:00 a.m., or as soon thereafter as the matter may be heard, due to counsel's scheduling conflict;

NOW, THEREFORE, it is hereby agreed to and stipulated by Defendants and Plaintiff, through their respective counsel of record and subject to Court approval, as follows:

1. The Initial Case Management Conference set for January 15, 2015 at 10:00 a.m. shall be continued to January 22, 2015, at 10:00 a.m., or as soon thereafter as the matter may be heard, in the Courtroom of the Honorable Edward J. Davila.

**IT IS SO STIPULATED.**

Dated: January 7, 2015

GEORGE A. RILEY (S.B. No. 118304)  
MICHAEL F. TUBACH (S.B. No. 145955)  
O'MELVENY & MYERS LLP

By: /s/ Michael F. Tubach

Michael F. Tubach  
Attorneys for Nominal Defendant APPLE  
INC. and Defendants TIMOTHY D. COOK,  
WILLIAM V. CAMPBELL, MILLARD  
DREXLER, ARTHUR D. LEVINSON,  
ROBERT A. IGER, ANDREA JUNG and  
FRED D. ANDERSON

1 Dated: January 7, 2015

BOTTINI & BOTTINI, INC.  
FRANCIS A. BOTTINI, JR. (S.B. No. 175783)  
ALBERT Y. CHANG (S.B. No. 296065)  
YURY A. KOLESNIKOV (S.B. No. 271173)

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4  
5 By: /s/ Francis A. Bottini, Jr.  
Francis A. Bottini, Jr.

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10 Attorneys for Plaintiff R. ANDRE KLEIN

11 \* \* \*

12  
13 **[PROPOSED] ORDER**

14 The above stipulation having been considered and good cause appearing, IT IS SO  
15 ORDERED.

16 The Initial Case Management Conference shall be continued to January 22, 2015, at 10:00  
17 a.m., or as soon thereafter as the matter may be heard.

18  
19 DATED: \_\_\_\_\_

20 THE HONORABLE EDWARD J. DAVILA  
UNITED STATES DISTRICT JUDGE

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23 I, Michael F. Tubach, am the ECF User whose ID and password are being used to file this  
24 Stipulation and [Proposed] Order Continuing Case Management Conference. In compliance with  
25 Civil Local Rule 5-1(i)(3), I hereby attest that Francis A. Bottini, Jr. has concurred in this filing.

26 By: /s/ Michael F. Tubach  
27 Michael F. Tubach  
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